

Exhibit 1

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE: JUUL LABS, INC., MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

Case No. 3:19-md-02913-WHO

**[PROPOSED] ORDER GRANTING
PSYCHIATRIC EXAMINATION OF
BAILEY LEGACKI**

THIS DOCUMENT RELATES TO:

Bailey Legacki v. JUUL Labs, Inc., et al.,
Case No. 3:20-cv-01927-WHO

1 Having considered the parties December 30, 2024, Joint Status Report Concerning
 2 Psychiatric Exam Discovery Dispute for Plaintiff Bailey Legacki, and finding that good cause
 3 exists under Federal Rule of Civil Procedure 35, the Court hereby **GRANTS** the request of
 4 Defendants JUUL Labs, Inc. (“JLI”); James Monsees; Adam Bowen; Nicholas Pritzker; Hoyoung
 5 Huh; and Riaz Valani for a mental examination of Plaintiff Bailey Legacki under the following
 6 conditions:

7 **Examiner Name:** The Examination shall be conducted by Dr. Ryan Wagoner.

8 **Date, Time, and Duration of the Examination:** The Examination shall commence on a date and
 9 time to be determined and shall be limited to approximately four hours over one day. Dr.
 10 Wagoner shall permit Bailey Legacki short breaks of approximately ten minutes as needed
 11 and a one-hour break for lunch. Time spent during these breaks shall not count toward the
 12 Examination’s time limit.

13 **Location of the Examination:** The Examination shall be conducted via videoconference.

14 **Manner, Conditions, and Scope of the Examination:** The Examination shall include and be
 15 limited to an evaluation of the claims of mental injury identified by Bailey Legacki as in
 16 controversy in this litigation in the Amended Complaint, ECF No. 19, expert reports, and
 17 medical records produced. The Examination shall include a medical history regarding
 18 Bailey Legacki’s alleged nicotine addiction, irritability, mood swings, anxiety, depression,
 19 and trouble sleeping. After the medical history, Dr. Wagoner shall conduct a behavioral
 20 interview to determine which tests are appropriate for Bailey Legacki’s conditions. The
 21 Examination shall include medical and diagnostic evaluation, including no more than five
 22 of the following tests that Dr. Wagoner deems necessary to evaluate Bailey Legacki’s
 23 mental condition on the day of the examination:

- 24 • Structured Interview of Reported Symptoms, 2nd Edition (SIRS-2): This test is used to
- 25 assess deliberate distortions in the self-report of psychiatric symptoms.
- 26 • Minnesota Multiphasic Personality Inventory-2-Restructured Form (MMPI-2-RF):
- 27 This test is 338-item exam used to assess symptoms of psychopathology, personality
- 28 characteristics, and behavioral proclivities.

- Montreal Cognitive Assessment (MoCA): This test is a screening tool used to detect mild cognitive impairments in various cognitive domains such as attention, memory, language, and executive function.
- Patient Health Questionnaire-9 (PHQ-9): This test is a multipurpose instrument for screening, diagnosing, monitoring, and measuring the severity of depression.
- Generalized Anxiety Disorder-7 (GAD-7): This test is a 7-item test to screen for anxiety.

Recording the Examination: The examination shall not be videotaped or transcribed.

Persons Allowed in the Examination: Bailey Legacki and Dr. Wagoner shall be present during the examination via videoconference. No other person shall be present in the room with Bailey Legacki during the examination.

Exchange of Examination Reports and Follow-up Discovery: Should Dr. Wagoner prepare a written report, Defendants will produce a copy of Dr. Wagoner's report to Bailey Legacki. Should Dr. Wagoner produce a report, Defendants will make Dr. Wagoner available for a deposition in accordance with the schedule for expert discovery.

DATED: December ___, 2024

The Honorable William H. Orrick
United States District Judge